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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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MIGUEL A. DE JESUS,	:	CASE NO.: 12-cv-04395 (WJM) (MF)
	:	
Plaintiff,	:	<b><u>DECLARATION OF JOHN P. BARRY</u></b>
vs.	:	
	:	
RBS /ABN AMRO, INC.,	:	
	:	
Defendant.	:	

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I, JOHN P. BARRY, an attorney duly admitted to practice law before this Court, hereby declare, pursuant to 28 U.S.C. §1746:

1. I am a member of the firm of Proskauer Rose LLP, attorneys for defendant The Royal Bank of Scotland N.V., incorrectly named herein as “RBS/ABN AMRO, Inc.” (“Defendant”). I submit this declaration in support of Defendant’s motion to dismiss this action pursuant to Federal Rule of Civil Procedure 12(b)(6).

2. Attached hereto as Exhibit A is a true and correct copy of the Complaint filed by plaintiff Miguel A. de Jesus with the Superior Court of the State of New Jersey and removed to this Court on July 13, 2012.

I certify under penalty of perjury that the foregoing statements made by me are true and correct.

Dated: July 30, 2012  
Newark, New Jersey

s/ John P. Barry  
John P. Barry

# **EXHIBIT A**

RECEIVED  
CUSTOMER SERVICE TEAM

MAR 08 2012

SUPERIOR COURT OF NEW JERSEY  
COUNTY OF HUDSON  
CIVIL DIVISION #3

FILED  
CUSTOMER SERVICE TEAM

Miguel A. de Jesus  
Name

MAR 11 4 2012

6 Deer Track Drive  
Address

570-223-3861 or 570-369-5877  
Telephone Number

SUPERIOR COURT OF NEW JERSEY  
COUNTY OF HUDSON  
CIVIL DIVISION #3

Miguel A. de Jesus  
Plaintiff

Plaintiff

v.

RBS/ABN AMRO INC  
Defendant(s)

Defendant(s)

Superior Court of New Jersey

Law Division Hudson County

Docket No L-1290-12  
(to be filled in by the court)

CIVIL ACTION  
Complaint

Plaintiff, Miguel A. de Jesus  
(your name)

6 Deer Track Drive  
(your address)

City of East Stroudsburg Pa. 18302  
(your city or town)

County of Monroe  
(your county)

State Of New Jersey, complaining of defendant, states as follows:

1. On March 8, 2012, RBS/ABN AMRO INC Defendant  
(name of person being sued)

(Summarize what happened that resulted in your claim against the defendant. Use additional pages if necessary.)

I had a car accident at the end of June, 2009, which made me unable to work. I had to work because I was afraid of losing my job. I was having back spasms and the pain medicine made me drowsy making it dangerous to drive, while the doctor advised me not to work. Because I worked in the month of July 2009 the insurance denied my claim even though the disability continued until mid January 2010.

Even though I was offered a Job in connecticut I could not take it because I would have had to move and it would had affected my sons custody case. For this reason I had to turn down the offer. For this reason I was let go from the Company. I received a severance package, how ever I did not sign it because it included a clause which prevented me from receiving my workers compensation for the time that I was disable. Ther for I am requesting my severance pay as well as my workers compensation and related problems through the years involving Tax due to my 401K retirement plan that I had ~~was~~ borrowed.

a part of this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.

Dated: 3/8/12 Signature: Miguel R. Delgado

**OPTIONAL:** If you would like to have a judge decide your case, do not include the following paragraph in your complaint. If you would prefer to have a jury to decide your case, please sign your name after the following paragraph.

### **JURY DEMAND**

The plaintiff demands trial by a jury on all of the triable issues of this complaint, pursuant to New Jersey Court Rules 1:8-2(b) and 4:35-1(a).

Dated: 3/8/12 Signature: Miguel R. Delgado